

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

ERIC ZERMENO,

Plaintiff,

v.

DAVID WATSON, MIKE MANLEY, and  
TETSUO IWAMURA,

Defendants.

CAUSE NO.: 2:19-CV-281-TLS-JPK

**OPINION AND ORDER**

Eric Zermeno, without counsel, filed a Complaint seeking eight billion dollars from three corporate executives: David Watson of Comcast/Xfinity, Mike Manley of Fiat/Chrysler, and Tetsuo Iwamura of Honda. Zermeno alleges that fraud resulted in his being incarcerated and beaten in the Lake County Jail in 2008. Zermeno alleges he can read the thoughts of anyone who stares at him. He alleges he designed the 2019 Chevy Camaro, 2018 Chevy Corvette, 2018 Silverado, 2016 Chevy Malibu, 2014 Toyota Highlander, 2018 Toyota Camry, and other vehicles. He alleges he gave the blueprints to the defendants. He alleges he can “feel vibes from the car auto manufacturers.” ECF No. 1 at 3.<sup>1</sup>

Zermeno seeks leave to proceed in forma pauperis. However, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), “the court shall dismiss the case at any time if the court determines that . . . the action . . . is frivolous . . . .” Such is the case here as the facts alleged are “clearly baseless.”

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<sup>1</sup> The Court takes judicial notice that Mr. Zermeno has filed eight other lawsuits in the last month in the United States District Court for the Northern District of Indiana, two of which are pending before the Undersigned: 2:19-CV-269-JVB-JPK, *Zermeno v. Jordan, et al.*; 2:19-CV-299-TLS-JEM, *Zermeno v. Hakett, et al.*; 2:19-CV-302-JVB-JPK, *Zermeno v. Saikawa, et al.*; 2:19-CV-306-JVB-JPK, *Zermeno v. France*; 2:19-CV-307-JVB-APR, *Zermeno v. Silver*; 2:19-CV-308-PPS-JPK, *Zermeno v. Carter*; 2:19-CV-312-TLS-JEM, *Zermeno v. Easterbrook*; and 2:19-CV-316-JTM-JPK, *Zermeno v. Ewing, et al.*

*See Denton v. Hernandez*, 504 U.S. 25, 31–33 (1992) (quoting *Neitzke v. Williams*, 490 U.S. 319 (1989)); *Gladney v. Pendleton Corr. Facility*, 302 F.3d 773, 774 (7th Cir. 2002); *Lee v. Clinton*, 209 F.3d 1025 (7th Cir. 2000). Therefore, this case will be dismissed. Although a plaintiff is normally given the opportunity to file an amended complaint when a case is dismissed sua sponte, *see Luevano v. Wal-Mart Stores, Inc.*, 722 F.3d 1014, 1027 (7th Cir. 2013), that is unnecessary where the amendment would be futile, *see Holland v. City of Gary*, 503 F. App'x 476, 477–78 (7th Cir. 2013) (citing *Neitzke*, 490 U.S. at 329-30).

For these reasons, the Court:

- (1) DENIES the in forma pauperis motion [ECF No. 2];
- (2) DISMISSES this case as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i); and
- (3) CAUTIONS Eric Zermeno that, if he files another frivolous lawsuit, he may be fined, sanctioned, or restricted.

SO ORDERED on August 23, 2019.

s/ Theresa L. Springmann  
CHIEF JUDGE THERESA L. SPRINGMANN  
UNITED STATES DISTRICT COURT